

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.146 of 2021

Arising Out of PS. Case No.-136 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Sonu Mahto @ Sonu Kumar Male aged about 38 years, S/o Jagbahadur Mahato @ Jangbahadur Mahato Resident of Village- Mahamadpur, Balami Purani Bazar, P.S.- Motipur, District- Muazffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ratneshwar Prasad,
Ms. Nitu Kumari, Advocates
For the Opposite Party : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-02-2021 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with Motipur P.S. Case No. 136 of 2020, for the offence under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 41(1)(2) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent.

In the instant case total 350 litres of spirit was seized.

Learned counsel appearing on behalf of the petitioner submits that nothing was recovered from conscious possession of this petitioner. The vehicle from which the spirit was



recovered does not belong to the petitioner. Petitioner is in custody since 06.09.2020.

Considering the fact that the petitioner has no criminal antecedent and he is in custody since 06.09.2020, the Court is inclined to grant bail to the petitioner subject to the condition that the petitioner has to deposit Rs.50,000/- in cash. On depositing the amount of Rs.50,000/-, petitioner, above-named, shall be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Muzaffarpur in connection with Motipur P.S. Case No.136 of 2020.

Deposit of Rs.50,000/- (Rupees fifty thousand) shall abide by final outcome of Motipur P.S. Case No. 136 of 2020.

(Anil Kumar Upadhyay, J)

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